

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

SHELLIE YVONNE KNIGHT,

Plaintiff,

v.

Civil Action No. 3:10cv272

MICHAEL J. ASTRUE,  
Commissioner of Social  
Security,

Defendant.

ORDER

Having reviewed the REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE entered herein on December 14, 2010 (Docket No. 14), the plaintiff's objections thereto (Docket No. 15), the defendant's response to plaintiff's objections (Docket No. 16) and having considered the record and the REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE and finding no error therein, it is hereby ORDERED that:

- (1) The plaintiff's objections are overruled;
- (2) The REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (Docket No. 14) is ADOPTED on the basis of the reasoning of the REPORT AND RECOMMENDATION;
- (3) The plaintiff's MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, MOTION FOR REMAND (Docket No. 9) is denied;
- (4) The DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Docket No. 12) is granted; and

(5) The Commissioner's decision is affirmed.

The issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

It is so ORDERED.

/s/ RED  
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: January 4, 2011